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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 ALLAN PARMELEE,

8 Plaintiff,

9 v.

10 TONY DUNNINGTON, HARLAN
11 FINCH, DOUGLAS WADDINGTON,
12 RICHARD HAYWARD, SCOTT
13 RUSSELL, DANIEL WHITE, CPM
14 DAN VAN OGLE, MARCIA
15 SANCHEZ, ED HOSKINS, STEVE
16 RAMSEY, ELDON VAIL, and JOSEPH
17 GATCHELL,

18 Defendants.

NO. C11-5771 RBL/KLS

ORDER REGARDING MOTION FOR
RULE 4(d) SERVICE (ECF No. 29)

19 On February 16, 2012, Plaintiff was granted leave to amend his complaint on or before
20 March 16, 2012. ECF No. 24. He filed a Motion for Order Allowing Rule 4(d) Service of his
21 Amended Complaint. ECF No. 29. Thereafter the parties stipulated and the Court extended
22 Plaintiff's deadline to submit his amended complaint to April 16, 2012. ECF No. 35.¹
23 Because Plaintiff has not yet filed an amended complaint for the Court's review and approval,
24 the Court re-noted his motion for order allowing service (ECF No. 29) for April 16, 2012, the
25 same day that Plaintiff's amended complaint is due. ECF No. 40.
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¹ The parties stipulated to a deadline of April 15, 2012, but April 15th is a Sunday; the deadline is therefore, April 16, 2012.

1 Plaintiff did not submit an amended complaint by the April 16th deadline and has
2 instead filed a Motion to Stay. ECF No. 41. That motion is the subject of a separate Order.

3 Accordingly, it is **ORDERED**:

4 (1) The Clerk is directed to **strike** the noting date of Plaintiff's Motion for
5 Rule 4(d) Service (ECF No. 29). If and when Plaintiff files an amended
6 complaint (or elects to continue with his original complaint), he may re-
7 note the motion for the Court's consideration.
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9 (2) The Clerk shall send copies of this Order to Plaintiff and to counsel for
10 Defendants.
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12 **DATED** this 22nd day of May, 2012.

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14 Karen L. Strombom
15 United States Magistrate Judge
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